

# INDONESIA 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Indonesia is a multiparty democracy. In April 2019 Joko Widodo (popularly known as Jokowi) won a second five-year term as president. Voters also elected new members of the House of Representatives and the Regional Representative Council, as well as provincial and local legislatures. Domestic and international observers deemed the elections to be free and fair.

The Indonesian National Police is responsible for internal security and reports directly to the president. The Indonesian National Armed Forces, which also report directly to the president, are responsible for external defense and combatting separatism, and in certain conditions may provide operational support to police, such as for counterterrorism operations, maintaining public order, and addressing communal conflicts. Civilian authorities maintained control over security forces. There were credible reports that members of the security forces committed abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by government security forces; torture by police; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners; serious problems with the independence of the judiciary; arbitrary and unlawful interference with privacy; serious abuses in the conflict in Papua and West Papua Provinces, including unlawful civilian harm, torture and physical abuses; serious restrictions on free expression and media, including unjustified arrests or prosecutions of journalists and religious figures, censorship, and the existence of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; serious government corruption; lack of investigation of and accountability for gender-based violence; crimes involving violence or threats of violence targeting members of racial and ethnic minority groups; crimes involving violence or threats of violence against lesbian, gay, bisexual, transgender, queer, or intersex persons; and the existence of laws criminalizing consensual same-sex sexual conduct between adults.

While the government took steps to investigate and prosecute some officials who committed human rights abuses and corruption, impunity for historic and recent serious human rights abuses and corruption remained a significant concern, especially as some of those implicated in past abuses received promotions, were given public awards and honors, and occupied senior official positions.

Armed conflict between government forces and separatist groups continued in Papua and West Papua Provinces. There were numerous reports of both sides committing abuses against civilians including killings, physical abuse, and destruction of property. The conflict caused the displacement of thousands of residents. Outside Papua and West Papua, there were numerous reports of unknown actors using digital harassment and intimidation against human rights activists and academics who criticized government officials, discussed government corruption, or covered issues related to the conflict in Papua and West Papua.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports that security officials committed arbitrary or unlawful killings. Many of these reports related to security forces' counterinsurgency operations against armed separatist groups in Papua and West Papua (see section 1.g.).

In many cases of alleged extrajudicial killings, police and the military did not conduct any investigations and, when they did, failed to disclose either the fact or the findings of these internal investigations. Official statements related to abuse allegations sometimes contradicted nongovernmental organization (NGO) accounts, and the frequent inaccessibility of areas where violence took place made confirming facts difficult.

The Commission for Disappeared and Victims of Violence (KontraS), a local NGO, reported 16 deaths due to alleged torture and other abuse by security forces between June 2020 and May 2021. KontraS also reported 13 deaths attributable to police shootings in the same period. On January 8, the National Commission on

Human Rights released its report on the December 2020 police shootings of six members of the Islamic Defenders Front (see also section 2.b.) on the Jakarta-Cikampek toll road in West Java Province. The commission found that police unlawfully killed four front members who were already in police custody and labelled the killings a human rights violation. In April a police spokesperson stated that three police officials from the Mobile Reserve Unit of the Greater Jakarta Metropolitan Regional Police had been named as suspects and were being investigated, noting that one of the three had died in an accident in January. On August 23, media reported the filing of charges against the two suspects in the East Jakarta District Court.

On April 25, Baubau City Police in Southeast Sulawesi Province arrested Samsul Egar on suspicions of involvement in drug trafficking. According to media reports, police chased Egar; after he was captured, he was seen handcuffed on the ground and unconscious. Egar was brought to a hospital where he was declared dead. Human rights organizations reported Egar had bruises on his body. Police allegedly did not tell Egar's family they believed he was a drug trafficker until 28 days after his death. As of September 10, there was no indication that authorities had investigated the report or taken action against the officer involved.

On August 31, the Balikpapan District Court of East Kalimantan Province began the trial of six Balikpapan City Police officers charged with abuses resulting in the 2020 death of Herman Alfred, a 39-year-old man accused of stealing a phone. The six officers were removed from duty in February when they were named as suspects in the case. According to prosecutors, Alfred was arrested on December 2, and brought to the Balikpapan police station. The six officers allegedly physically abused him while in custody, inflicting injuries that led to his death. As of September 10, the trial of the six officers was ongoing.

There were also multiple reports of killings outside of Papua and West Papua by terrorist groups. The government investigated and prosecuted all such killings.

For example, media and the government reported that the East Indonesia Mujahedeen group was responsible for the May 11 killing of four farmers, reportedly all Christians, in Poso Regency, Central Sulawesi Province. The same group was accused of killing four residents of Sigi Regency, Central Sulawesi, in

November 2020. As of October, security force operations seeking to apprehend members of the group continued. On September 18, security forces killed the group's leader, Ali Kalora, in a firefight.

On March 28, two suicide bombers attacked the Sacred Heart of Jesus Catholic cathedral, in Makassar, South Sulawesi Province, killing both assailants and injuring 20 bystanders. The attack occurred during a Palm Sunday mass. Police identified the two bombers as part of Jamaah Ansharut Daulah, a terrorist organization responsible for the 2018 bombings of three churches in Surabaya, East Java Province. As of May 19, a police spokesperson told the media that 53 persons had been detained and named as suspects in connection with the bombing.

## **b. Disappearance**

Outside Papua and West Papua (see section 1.g.) there were no reports of disappearances by or on behalf of government authorities. The government and NGOs reported little progress in accounting for persons who previously disappeared, including disappearances that occurred when Timor-Leste was still part of Indonesia. NGOs reported little progress in prosecuting those responsible for such disappearances and noted many officials suspected of being involved in disappearances continued to serve in the government (see section 1.c.).

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution prohibits such practices. The law criminalizes the use of violence or force by officials to elicit a confession, but no law specifies or defines "torture." Other laws, such as on witness and victim protection, include antitorture provisions. Officials face imprisonment for a maximum of four years if they use violence or force illegally.

NGOs made numerous reports of police and security forces using excessive force during detention and interrogation, with some cases resulting in death (see section 1.a.).

National police and the military maintained procedures to address alleged torture.

All police recruits undergo training on the proportional use of force and human rights standards. In cases of alleged torture (and other abuse), police and the military typically conducted investigations but often did not publicly disclose either the fact or the findings of these internal investigations. Official statements related to abuse allegations sometimes contradicted NGO accounts, and the frequent inaccessibility of areas where violence took place made confirming facts difficult. NGOs and other observers criticized the short prison sentences often imposed by military courts in abuse cases involving civilians or actions by off-duty soldiers.

KontraS reported 166 injuries from alleged torture and other abuse by security forces between June 2020 and May 2021. KontraS also reported 98 persons injured in police shootings during the same period. KontraS noted there had been a decrease in police violence cases compared with previous years but attributed the decrease to the COVID-19 pandemic rather than reforms in police behavior.

On May 25, a uniformed soldier, Joaquim Parera, assaulted an employee of a gas station in East Nusa Tenggara Province. The employee refused to provide service to Parera because he had cut in line. The assault was filmed, and the video was spread widely online. A mediation session between Parera and the victim was held and the military reported the dispute had been settled peacefully. The military also stated that Parera could still face a military tribunal, but as of November 24 there were no updates on whether Parera faced punishment for the incident.

On June 22, police detained a 20-year-old man, Yohan Ronsumbre, on suspicion of theft in Biak Numfor Regency, Papua Province. NGOs reported that during the detention police officers attempted to force Ronsumbre to confess by punching him and pouring boiling water on his right arm. Ronsumbre's lawyers reported the incident to police, the national Ombudsman, and the National Commission on Human Rights. In July a police representative told media they were investigating the incident. As of November 24, there was no update on the investigation or action taken against the officers involved.

On August 19, two soldiers from the 1627/Rote Ndao District Military Command in East Nusa Tenggara Province physically abused a 13-year-old boy who they suspected of stealing a mobile phone from one of the soldiers. The soldiers beat

the boy, burned him with cigarettes, and burned his genitals with a candle. On August 23, the two soldiers were arrested by military police and were reportedly under investigation for the incident.

Aceh Province has special authority to implement sharia regulations. Authorities there carried out public canings for violations of sharia in cases of sexual abuse, gambling, adultery, alcohol consumption, consensual same-sex conduct, and sexual relations outside of marriage. Sharia does not apply to non-Muslims, foreigners, or Muslims not resident in Aceh. Non-Muslims in Aceh occasionally chose punishment under sharia because it was more expeditious and less expensive than secular procedures. For example, in February three non-Muslims convicted of illegal possession of alcohol requested punishment under sharia and each received 40 lashes. One of those punished publicly stated he did so to avoid a lengthy prison sentence.

Canings continued to occur in public spaces despite the Aceh governor's 2018 order that they should be executed only in prison facilities. Individuals sentenced to caning may receive up to 100 lashes for each crime for which they were convicted, depending on the crime and prison time served.

NGOs reported that some female police and military recruits were subjected to invasive virginity testing as a condition of employment, which activists claimed were painful, degrading, discriminatory, and frequently inaccurate. The law does not require such testing, but some police and military regulations include the testing in their recruitment process, leading to inconsistent application across the country. Media reported that, per regulation, fiancées of military personnel were sometimes subjected to this testing. In June the army issued a technical regulation eliminating virginity testing for recruits and fiancées – the status of this testing for the navy and air force remained unclear.

In December 2020 President Widodo signed a government regulation on chemical castration and the use of tracking devices for individuals convicted of sexual abuse of children. The regulation allows chemical castration and electronic tracking for a maximum of two years after offenders are released from prison.

Security force impunity remained a problem. Members of the army special forces'

Rose Team, which was involved in the kidnapping, torture, and killing of students in 1997-98, continued to serve as senior officials in the government despite being convicted and serving prison sentences for their involvement in these abuses. On August 12, President Widodo awarded the nation's third-highest civilian honor to Eurico Guterres, an alleged former pro-Indonesia militia leader in East Timor. In 2002 Guterres was convicted and sentenced to 10 years in prison for crimes against humanity for his involvement in mass violence and killings in East Timor prior to its independence in 1999. In 2008, however, the Supreme Court overturned the convictions of Guterres and all others convicted on such charges.

Internal investigations undertaken by security forces were often opaque, making it difficult to know which units and actors were involved, especially if they occurred in Papua or West Papua. Internal investigations were sometimes conducted by the unit accused of the abuses, or in high-profile cases by a team sent from police or military headquarters in Jakarta. Cases involving military personnel could be forwarded to a military tribunal for prosecution or, in the case of police, to public prosecutors. These trials lacked transparency, and the results were not always made public. Victims or their families may file complaints with the National Police Commission, National Commission on Human Rights, or National Ombudsman to seek an independent inquiry into the incident. The lack of transparent investigations and judicial processes continued to hamper accountability in multiple past cases involving security forces. NGOs continued to advocate for investigations and judicial resolution of historical cases of security force involvement in killings and disappearances that date back to 1965.

### **Prison and Detention Center Conditions**

Conditions in the country's 526 prisons and detention centers were often harsh and sometimes life threatening, due especially to overcrowding.

**Physical Conditions:** Overcrowding was a serious problem, including at immigration detention centers. According to the Ministry of Law and Human Rights, as of July there were 271,231 prisoners and detainees in prisons and detention centers designed to hold a maximum of 132,107. Overcrowding posed hygiene and ventilation problems. The degree of overcrowding varied at different facilities. Minimum- and medium-security prisons were often the most

overcrowded; maximum-security prisons tended to be at or below capacity. On September 8, a fire at the Tangerang Level I Prison in Banten Province killed 49 inmates. Media reported that the fire occurred in a cell block designed for 38 inmates but that held 122.

From the beginning of the COVID-19 pandemic in early 2020 to September 2021, concern about the rapid spread of COVID-19 in prisons led officials to grant early releases to nearly 70,000 prisoners. This mass sentence reduction, however, did not apply to inmates convicted for “political crimes,” such as Papuan and Moluccan activists.

By law prisons are supposed to hold those convicted by courts, while detention centers hold those awaiting trial. Most prisons have two facilities on the same compound, one designed for pretrial detainees and one for convicted prisoners. Persons held at the two facilities did not normally mix. At times, however, officials held pretrial detainees together with convicted prisoners due to overcrowding.

By law children convicted of serious crimes serve their sentences in juvenile prison, although some convicted juveniles remained in the adult prison system despite efforts to end this practice.

Authorities generally held female prisoners at separate facilities. In prisons with both male and female prisoners, female prisoners were confined in separate cellblocks. According to NGO observers, conditions in prisons for women tended to be significantly better than in those for men. Women’s cellblocks within prisons that held prisoners of both genders, however, did not always grant female prisoners access to the same amenities, such as exercise facilities, as their male counterparts.

NGOs noted authorities sometimes did not provide prisoners adequate medical care. Human rights activists attributed this to a lack of resources.

International and local NGOs reported that in some cases prisoners did not have ready access to clean drinking water. There were widespread reports the government did not supply sufficient food to prisoners, and family members often brought food to supplement relatives’ diets.



Guards in detention facilities and prisons regularly extorted money from inmates, and prisoners reported physical abuse by guards. Inmates often bribed or paid corrections officers for favors, food, telephones, or narcotics. The use and production of illicit drugs in prisons were serious problems, with some drug networks basing operations out of prisons.

**Administration:** The law allows prisoners and detainees to submit complaints to authorities without censorship and to request investigation of alleged deficiencies. Complaints are submitted to the Ministry of Law and Human Rights where they were investigated and were subject to independent judicial review.

**Independent Monitoring:** Some NGOs received access to prisons but were required to obtain permission through bureaucratic mechanisms, including approval from police, attorneys general, courts, the Ministry of Home Affairs, and other agencies. NGOs reported authorities rarely permitted direct access to prisoners for interviews and that health restrictions implemented to prevent the spread of COVID-19 had further impeded their ability to monitor prison conditions. There was no regular independent monitoring of prisons.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements, but there were notable exceptions.

#### **Arrest Procedures and Treatment of Detainees**

Security forces must produce warrants during an arrest. Exceptions apply, for example, if a suspect is caught in the act of committing a crime. The law allows investigators to issue warrants, but at times authorities, especially police from the Criminal Investigation Department, made questionable arrests without warrants.

By law suspects or defendants have the right to contact family promptly after arrest and to legal counsel of their choice at every stage of an investigation. Legal aid organizations reported numerous cases in which they had difficulty accessing detainees, especially if physical or other abuse during or after the arrest was

discovered or alleged when access was granted.

Court officials are supposed to provide free legal counsel to all persons charged with offenses that carry the death penalty or imprisonment for 15 years or more, and to destitute defendants facing charges that carry a penalty of imprisonment for five years or more. Such legal resources were limited, however, and free counsel was seldom provided. Additionally, NGOs reported that some police and prosecutors maintained a “pocket lawyer” who could be called in to provide a pro forma defense for their clients.

Suspects can only be detained for 110 days before charges must be filed; however, in special circumstances that period can be extended to 170 days, and in terrorism cases the period can be extended to 290 days. During an investigation police can detain suspects for 20 days but then must seek an extension of detention from public prosecutors, which can be granted for an additional 40 days. NGOs reported numerous cases in which investigators’ requests to extend detention did not contain information required under the law, such as the details of the alleged crime and a citation of relevant law. Following the 60 days of detention allowed for police investigation, prosecutors can continue detention for 20 days for prosecutorial investigation and request an additional 30 days of detention from a judge. Detention can be extended another 60 days if the suspect has severe mental illness or is suspected of a crime carrying a punishment of nine years or more in prison. In terrorism cases, police may detain a suspect for 21 days before naming them as a suspect or having to seek an extension from public prosecutors. Prosecutors can extend pretrial detention of terrorism suspects up to a total of 240 days, or up to a total of 290 days with approval from the chief magistrate of the district court.

There is no system of bail; however, detainees can request a suspension of detention, which can be granted by investigators, prosecutors, or judges. Additionally, detainees may challenge their arrest and detention by petitioning for a pretrial hearing. According to the law, a judge must begin the pretrial hearing within three days of receipt of the application and render a decision within seven days after the beginning of the hearing. Some defense lawyers indicated reluctance to request these suspensions, since sometimes the paperwork their clients must sign

as a condition of release include language that can be interpreted as an admission of guilt.

Lack of legal resources was particularly problematic for persons involved in land disputes. Local government officials and large landowners involved in land grabs reportedly accused community activists of crimes, hoping the resulting detentions or arrests and the community's lack of legal and financial resources would hamper efforts to oppose the land grab.

**Arbitrary Arrest:** There were reports of arbitrary arrests by police, primarily by the Criminal Investigation Department and the Mobile Brigade Corps. There were multiple media and NGO reports of police temporarily detaining persons for criticizing the government, participating in peaceful demonstrations, and other nonviolent activities.

In February for example, police detained three members of the Dayak indigenous community in East Kutai Regency, East Kalimantan Province, for surveying assets on land in dispute between the Dayaks and a palm oil company, PT Subur Abadi Wana Agung. The three were released the next day. NGOs criticized the detentions as an attempt to criminalize the community's efforts to defend their land rights.

NGOs reported numerous cases of arbitrary arrest across the country, with numerous cases in Papua and West Papua and in connection with political protests and property disputes. Most of those detained in such cases were released within 24 hours.

**Pretrial Detention:** The legal length of pretrial detention depends on factors such as whether the suspect is a flight risk or a danger or is charged with certain crimes. The maximum period of pretrial detention is 170 days for most suspects, 290 days for terrorism suspects. If convicted, time in pretrial detention is counted against the sentence. Media reported, however, cases in which suspects were detained longer than allowed by law, in some cases – especially of low-level crimes with sentences less than a year – resulting in immediate release of persons found guilty because the time served in pretrial detention equaled or exceeded their sentence. Terrorism suspects are governed by special rules. The government did not report

the number of individuals in pretrial detention.

### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary and the right to a fair public trial, but the judiciary remained susceptible to corruption (see section 5) and influence from outside parties, including business interests, politicians, the security forces, and officials of the executive branch.

In March the Corruption Court sentenced former secretary of the Supreme Court, Nurhadi Abdurrachman, to six years in prison and a substantial fine, for receiving bribes worth nearly 50 billion rupees (IDR) (\$3.5 million) to influence cases appearing before the Supreme Court.

Decentralization created difficulties for the enforcement of court orders, and at times local officials ignored them.

Four district courts are authorized to adjudicate cases of systemic gross human rights violations upon recommendation of the National Human Rights Commission. None of these courts, however, has heard or ruled on such a case since 2005.

Under the sharia court system in Aceh, 23 district religious courts and one court of appeals hear cases. The courts usually heard cases involving Muslims and based their judgments on decrees formulated by the local government rather than the national penal code.

### **Trial Procedures**

The constitution provides for the right to a fair trial, but judicial corruption and misconduct hindered the enforcement of this right. The law presumes defendants are innocent until proven guilty, although this was not always respected.

Defendants are informed promptly and in detail of the charges at their first court appearance. Although suspects have the right to confront witnesses and call witnesses in their defense, judges may allow sworn affidavits when distance is excessive or the cost of transporting witnesses to the court is too expensive, hindering the possibility of cross-examination. Some courts allowed forced

confessions and limited the presentation of defense evidence. Defendants have the right to avoid self-incrimination. The prosecution prepares charges, evidence, and witnesses for the trial, while the defense prepares their own witnesses and arguments. A panel of judges oversees the trial and can pose questions, hear evidence, decide on guilt or innocence, and impose punishment. Both the defense and prosecution may appeal a verdict.

The law gives defendants the right to an attorney from the time of arrest and at every stage of investigation and trial. By law indigent defendants have the right to public legal assistance, although they must prove they have no funds for private legal assistance. NGOs reported that defendants in many areas of the country do not have access to legal assistance due to the lack of legal aid organizations in those areas. Where they existed, their legal staffs were often too small to represent all indigent defendants. There were, consequently, numerous cases in which defendants faced trial without counsel. Defendants facing offenses that carry the death penalty or imprisonment for 15 years or more are required to have legal counsel; however, NGOs reported cases in which the legal counsel provided to these defendants was associated with the prosecution. All defendants have the right to free interpretation. In some cases, procedural protections were inadequate to ensure a fair trial. With the notable exceptions of sharia court proceedings in Aceh and some military trials, trials are public.

### **Political Prisoners and Detainees**

NGOs estimated that as of July, seven political prisoners from Papua and West Papua were incarcerated, either awaiting trial or after being convicted under treason and conspiracy statutes, including for the display of banned separatist symbols. Additionally, eight Moluccan political prisoners remained in prison, according to NGOs.

According to Amnesty International, a small number of the 188 Papuans detained between January and July for participating in peaceful protests were charged with treason or other criminal offenses.

On February 10, environmental activists Samsir and Syamsul Bahri were arrested by the Tanjung Pura Police in Langkat Regency, North Sumatra for an alleged

assault in December 2020. On May 31, the two were sentenced to two months in prison. NGOs claimed that the accusations made against the activists were false and meant to criminalize the two activists and thereby impede their efforts to rehabilitate mangroves in the area.

On May 9, security forces arrested Victor Yeimo, spokesperson for the pro-independence National Committee for West Papua in Jayapura, Papua Province. Lawyers for Yeimo reported he was arrested without a warrant and moved to the Mobile Brigade Corps' detention center without notification to his lawyers. On August 30, the Jayapura District Court rejected Yeimo's pretrial challenge to detention on the grounds of his unprocedural arrest. Yeimo was charged with criminal conspiracy, incitement, and treason for his alleged involvement in violent antiracism protests in Papua and West Papua Provinces in 2019. NGOs alleged that the charges against Yeimo were a baseless attempt to silence nonviolent advocacy for Papuan separatism. NGO requests for his release on health grounds were rejected. His hospitalization, however, delayed the start of his trial, and as of November 24, the trial had yet to begin.

On July 22, the East Jakarta District Court sentenced Roland Levy and Kevin Molama, two members of the Papuan Student Alliance, to five months in prison minus time served for assaulting another Papuan student. Police arrested the two activists on March 3 at a student dormitory in Jakarta. NGOs claimed the charges against the two were a fabricated attempt to disrupt the activists' efforts.

Local activists and family members generally were able to visit political prisoners, but authorities held some prisoners on islands far from their families.

### **Civil Judicial Procedures and Remedies**

Victims of human rights abuses may seek damages in the civil court system, but widespread corruption and political influence limited victims' access to justice.

### **Property Seizure and Restitution**

An eminent domain law allows the government to expropriate land for the public good, provided the government properly compensates owners. NGOs accused the government of abusing its authority to expropriate or facilitate private acquisition

of land for development projects, often without fair compensation.

Land access and ownership were major sources of conflict. Police sometimes evicted those involved in land disputes without due process, often siding with business-related claimants over individuals or local communities.

In January the Ministry of Agrarian Affairs and Spatial Planning launched an electronic land certificate program to register land claims across the country. Stated goals of the program included reducing the number of land disputes by making it more difficult to falsify land deeds.

On January 5, President Widodo held a virtual ceremony where he announced the distribution of 584,407 land certificates (i.e., titles) to demonstrate the government's commitment to addressing land disputes. The Ministry of Agrarian Affairs reported that in 2020 it had issued 6.8 million land certificates across the country.

On January 29, the Ministry of Energy and Natural Resources announced an agreement with PT Tambang Mas Sangihe allowing the company to expand its operations on Sangihe Island, North Sulawesi Province. In June the Save Sangihe Island movement, made up of local community members, filed a lawsuit against the agreement, arguing it had been made without a proper evaluation of environmental impact, without consultation with the local community, and in violation of several other laws.

On March 4, five UN special rapporteurs and a team of independent experts sent a letter highlighting human rights abuses associated with the Mandalika tourism project on the island of Lombok, West Nusa Tenggara Province. The Mandalika project was managed by the Indonesia Tourism Development Corporation, a state-owned enterprise, and was designated a priority project by the government; the land confiscated was designated a Special Economic Zone. The United Nations and NGOs reported the project was associated with numerous claims of land grabbing, forced evictions, and police and unknown actors threatening and intimidating residents. Local activists were also detained and sentenced for creating “disturbances.”

On March 17, an armed group forcibly evicted residents of Pancoran Buntu II in Jakarta. The residents were evicted from land subject to a court case with PT Pertamina Training and Consulting, a subsidiary of a state-owned enterprise. During the incident, 28 residents suffered injuries, including broken bones, lacerations, and breathing difficulties due to tear gas. Human rights organizations reported that police in the area did nothing to stop the armed group.

#### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law requires judicial warrants for searches except in cases involving subversion, economic crimes, and corruption. Security forces generally respected these requirements. The law also provides for searches without warrants when circumstances are “urgent and compelling.” Police throughout the country occasionally took actions without proper authority or violated individuals’ privacy.

NGOs claimed security officials occasionally conducted warrantless surveillance on individuals and their residences and monitored telephone calls.

The government developed Peduli Lindungi (Care Protect), a smartphone application used to track COVID-19 cases. Government regulations sought to stop the spread of the virus by requiring individuals entering public spaces like malls to check in using the application. The application also stores information on individuals’ vaccination status. NGOs expressed concerns about what information was gathered by the application and how this data was stored and used by the government.

#### **g. Other Conflict-related Abuse**

The eastern provinces of Papua and West Papua are home to separatist movements advocating the creation of an independent state. The most well-known armed separatist group is the Free Papua Movement (Organisasi Papua Merdeka or OPM), which has been responsible for hundreds of attacks on government officials and civilians since the 1970s. The government has attempted to suppress these separatist movements primarily through a large military and police presence in the two provinces, and through a “special autonomy” status granted to the region in



2002 and revised in July. The most controversial provision of the revised autonomy law allows the central government to divide Papua Province into several smaller provinces without local legislative approval. Additionally, the revision provides for increased budgetary support for the Papuan region, but critics claimed these provisions also establish greater central government control of development and could further increase inequality. There were numerous reports of government and OPM forces engaging in killings, physical abuse and excessive force, and other abuses.

**Killings:** Restrictions on independent press and NGOs in the area, and on visits by international investigators, made it difficult to determine the authenticity of reports of, or to attribute responsibility for, killings in Papua and West Papua. The government and separatist groups often provided conflicting accounts about responsibility for a killing and whether the victim was a civilian or a combatant. The Armed Conflict Location and Event Data Project reported a total of 59 fatalities in Papua and West Papua from January 1 to September 3, with 31 deaths caused by armed exchanges between separatist and government forces, 25 deaths caused by violence directed at civilians by separatist or government forces, and three deaths caused by riots or mob violence. KontraS reported that government forces had been involved in 16 cases of armed violence from January to July 29 resulting in 10 deaths, 17 injuries, and 73 arrests.

On February 15, security forces in Intan Jaya Regency, Papua, killed three brothers, Janius, Soni and Yustinus Bagau. The brothers were detained during joint police-military operations in the region following the killing of a soldier by members of an armed separatist group. Human rights organizations stated the brothers were physically abused and then killed while in government custody at a local clinic. The government reported the three were shot after attempting to escape and seize weapons from their guards. The government also stated that the brothers were members of an armed separatist group. As of November 24, there were no reports of a government investigation into the incident.

On March 6, soldiers from the 715/MTL Raider Infantry Battalion fatally shot Melianus Nayagau, a 17-year-old student, in Intan Jaya Regency, Papua. Military officials stated that Nayagau was a member of an armed separatist group, while his

family and human rights organizations maintained he was a civilian and that his death constituted an extrajudicial killing. Media reported that military forces killed Nayagau's father in February 2020. As of November 24, there was no indication authorities had investigated the incident.

Media reported that on April 9, two soldiers dressed in civilian clothing belonging to the RK 762/VYS Infantry Battalion dragged Moses Yewen to a military post in Tambrau Regency, Papua Province, and beat him after he asked to see their identification. On May 7, Yewen died, with some local politicians and human rights activists attributing his death to his beating a month prior and the lack of proper medical attention. Before his death Yewen reported the incident to the military police, but as of November 24 there were no reports of an investigation into the incident.

Investigations into some past high-profile cases of security force killings in Papua and West Papua continued. The investigation into the September 2020 killing of a Christian pastor, Yeremia Zanambani, in Intan Regency, Papua, was ongoing when, on June 5, an autopsy was conducted on Yeremia's body. Military officials maintained that separatists killed Yeremia, while the National Commission on Human Rights and other human rights organizations stated that Yeremia's death was an extrajudicial killing by members of the Hitadipa District Military Command.

In December 2020 the military named nine soldiers from the 1705/Paniai District Military Command and PR433/Julu Siri Infantry Battalion as suspects in the April 2020 killing of Luther and Apinus Zanambani while in military detention in Intan Jaya Regency, Papua. As of November 24, however, there was no update on the investigation.

Media and government sources reported Papuan armed separatist groups' killing of civilians. On January 30, separatist forces killed Boni Bagau in Intan Jaya Regency, Papua. According to media reports, the attackers suspected the victim was a military and police spy. In the days following the killing, police officials received a letter, purportedly from OPM, calling for "open war" in Papua. On April 8-9, separatist forces killed two teachers and burned several school buildings in Puncak Regency, Papua. An alleged spokesman for militants claimed that the

teachers were armed, undercover security personnel. On August 22, six armed separatists killed two workers building the Trans-Papua Highway in Yahukimo Regency, Papua.

**Physical Abuse, Punishment, and Torture:** Human rights organizations and media reported security forces in Papua and West Papua often used excessive force on civilians and physically abused persons in detention.

In December 2020 police arrested 13 activists from the pro-independence National West Papua National Committee in Merauke, Papua Province. Kristianus Yandum, one of the detained activists, was rushed to hospital from detention on February 8 and died on February 27. The West Papua National Committee stated Kristianus' death was a result of physical abuse by police during his detention.

On July 28, two air force personnel forcibly restrained Steven Yadohamang, a deaf, indigenous Papuan man, in Merauke, Papua Province, with one of the officials pinning the man's head to the ground with his boot. A video of the incident spread widely online. Military and government officials apologized for the use of excessive force and removed the commander of the Johannes Abraham Dimara Air Base in Merauke for failure to supervise his subordinates. An air force spokesperson stated the two officers would be tried in military court. As of November 24, there was no update on the status of trial.

**Other Conflict-related Abuses:** Separatist forces have publicly called for nonindigenous Papuans to leave Papua and West Papua. In June a spokesperson for OPM stated that migrants from other parts of the country should immediately leave Puncak, Intan Jaya, and Nduga Regencies to escape the violence there or be prepared to "bear the risk" of staying. In September the OPM spokesperson appealed to migrants from other parts of the country to immediately leave Sorong city in West Papua, which the spokesperson stated had become a war zone between government and separatist forces. These statements, as well as the ongoing violence displaced thousands of residents (see section 2.e.).

On August 16, protesters gathered in Yahukimo Regency, Papua Province, to protest the arrest of Victor Yeimo (see section 1.e.) and the extension and revision of special autonomy for Papua. NGOs reported that police opened fire on the

demonstration and arrested 48 protesters. One protester, Ferianus Asso, was allegedly hit by police gunfire in the abdomen; he was treated at home until August 20, when he was taken to a local hospital. On August 22, Asso died from complications related to his injuries. As of November 24, there were no reports that the government investigated the incident.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media. The law places various restrictions on its exercise, including criminal penalties for defamation, hate speech, blasphemy, obscenity, and spreading false information. There were numerous reports of the law being used to limit political criticism of the government.

**Freedom of Expression:** The law criminalizes speech deemed defaming of a person's character or reputation (see Libel/Slander Laws below); insulting a religion; spreading hate speech; spreading false information; obscenity; or advocating separatism. Spreading hate speech or false information is punishable by up to six years in prison. Language in the law regulating pornography has been broadly applied to restrict content deemed as offending local morals. Under the criminal code, blasphemy is punishable for up to five years in prison. Blasphemy cases, however, were usually prosecuted under the Electronic Information and Transactions law, which was increasingly used to regulate online speech and carries a maximum six-year prison sentence. NGOs reported these laws were often used to prosecute critics of the government.

In February Sulaiman Marpaung, a man in North Sumatra Province, was sentenced to eight months in prison for hate speech after he posted comments on Facebook critical of Vice President Ma'ruf Amin's religious bona fides and a collage of photos comparing the vice president with an elderly Japanese pornography actor.

On May 19, Kahiri Amri, head of the KAMI opposition political organization in Medan, North Sumatra Province, was sentenced to one year in prison for hate

speech. In October 2020 Amri sent messages in a WhatsApp chat about organizing protests against the government's proposed Omnibus Bill on Job Creation. In those messages he referred to police as "brown planthoppers" – a kind of insect – which the court deemed to constitute hate speech.

On August 19, an "antimask" activist, Yunus Wahyudi, was sentenced to three years in prison for spreading false news. In 2020 Wahyudi had posted a video online in which he claimed that there was no COVID-19 in Banyuwangi Regency, East Java Province.

According to the Legal Aid Foundation, in 2020 there were 67 blasphemy cases following at least 40 arrests on blasphemy charges. On August 25, police arrested Muhammad Kece in Bali for videos he uploaded to YouTube that allegedly insulted the Prophet Muhammad. On August 26, police arrested Yahya Waloni in Bogor Regency, West Java, for comments made in a video claiming that the Bible is fake. As of November 24, both Kece and Waloni were still in detention, with Waloni's trial having begun and Kece's trial scheduled to begin. For additional cases see section 2.c.

Although the law permits flying a flag symbolizing Papua's cultural identity generally, a government regulation specifically prohibits the display of the Morning Star flag in Papua, the Republic of South Maluku flag in Maluku, and the Free Aceh Movement Crescent Moon flag in Aceh.

On May 21, Nasruddin (aka Nyak Din) was sentenced to one year in prison and his co-defendant Zulkifli was sentenced to eight months in prison for treason for flying the Free Aceh Movement Crescent Moon Flag in Indraja District, Aceh Province.

On May 15, police arrested three men for raising the Republic of South Maluku flag in Central Maluku Regency, Maluku Province. The three men have been named as suspects for treason and could face up to life imprisonment. As of November 24, there was no update on this case.

**Freedom of Expression for Members of the Press and Other Media, Including Online Media:** Independent media were active and expressed a wide variety of

views. The government, however, sometimes used regional and national regulations, including those on blasphemy, hate speech, defamation, false information, and separatism, to restrict media. Obtaining permits for travel to Papua and West Papua was difficult for foreign journalists, who reported bureaucratic delays or denials, ostensibly for safety reasons. The constitution protects journalists from interference, and the law states that anyone who deliberately prevents journalists from doing their job shall face a maximum prison sentence of two years or a substantial fine.

**Violence and Harassment:** From January to August, the Alliance of Independent Journalists reported 24 cases of violence against journalists that included doxing, physical assaults, and verbal intimidation and threats perpetrated by various actors, including government officials, police and security personnel, members of mass organizations, and the general public.

On March 4, Yasmin Bali, a journalist for [Malukunews.com](http://Malukunews.com), was assaulted by Galib Warang, reportedly a friend of West Seram Regent Muhammad Yasin Payapo, in Maluku Province. Bali and several journalists had originally come to the regent's office to interview the regional secretary. While waiting for the interview, Bali attempted to take a photo, at which point Warang punched him. Media reported that the assault happened in front of the regent. As of September 16, Warang was on trial for the incident.

On March 27 in Surabaya, East Java, security guards assaulted Nurhadi (no last name), a journalist for *Tempo* magazine, who was covering a story about a former Ministry of Finance official named as a suspect in a corruption case. Nurhadi went to the official's daughter's wedding reception to collect information for the report. While escorting Nurhadi from the reception, security guards allegedly destroyed his phone, punched him, and threatened to kill him. Nurhadi was taken to a second location where he was interrogated and beaten by two police officers. In May police named the two officers, Purwanto (no last name) and Firman Subkh, as suspects for assaulting Nurhadi. As of November 24, the trial for the two officers was ongoing. The suspects were not detained during the trial per a request from Surabaya Police.

In May IndonesiaLeaks, a joint investigative journalism project, reported the

attempted hacking of websites and personal social media accounts of those associated with the project. Journalists associated with the project also reported that police followed them and took photos as they interviewed sources at cafes. The alleged intimidation occurred after IndonesiaLeaks made public its investigation into the head of the Corruption Eradication Commission and the reasons behind his alleged use of a civil service test to weaken the commission (see section 4). As a result of threats and intimidation, IndonesiaLeaks discontinued the use of its Twitter account in June.

In July the Bukit Barisan Regional Military Command identified four soldiers as suspects in the June 19 killing of Mara Salem Harahap, editor in chief of *lassernewstoday.com*, in Simalungun Regency, North Sumatra Province. Police had previously named two other suspects, the owner and staff of a local nightclub, in the killing. Police reported that Harahap often visited the nightclub and threatened to report on its involvement in drug trafficking if he was not given free drugs. The nightclub owner provided money to one of the soldiers to “deter” Harahap from continuing this extortion. On September 13, one of the soldiers, Awaluddin (no last name), died due to unknown causes at a hospital. As of October 28, another soldier, Dani Effendi, was reportedly on trial in military court for his involvement in the killing. As of October 28, the trial for the owner and staff of the night club was ongoing.

**Censorship or Content Restrictions:** The Attorney General’s Office has authority to monitor written material and request a court order to ban written material; this power was apparently not used during the year.

The Broadcasting Commission has the power to restrict content broadcast on television and radio and used that authority to restrict content deemed offensive. On March 17, the commission issued a circular on television programs aired during the month of Ramadan, which contained a provision that programs not show physical intimacy such as kissing or cuddling. Another provision prohibited television programs from having lesbian, gay, bisexual, transgender, or queer content. In June the commission issued a list of 42 English-language songs that were prohibited from being played before 10 p.m. due to their content. Included in the list were songs by Bruno Mars, Ariana Grande, Maroon 5, and Busta Rhymes.

The government-supervised Film Censorship Institute censored domestic and imported movies for content deemed religiously or otherwise offensive.

**Libel/Slander Laws:** Criminal defamation provisions prohibit libel and slander, which are punishable with five-year prison terms. The truth of a statement is not a defense.

NGOs alleged that government officials, including police and the judiciary, selectively used criminal defamation to intimidate individuals and restrict freedom of expressions.

On June 22, Andi Dharmawansyah was sentenced to one month in jail for defaming Andi Suryanto Asapa, the former district head of health for Sinjai Regency, South Sulawesi Province. On February 16, Dharmawansyah posted an accusation online that Asapa was the mastermind behind cuts to a compensation fund intended for the heirs of health workers who died from COVID-19.

On September 10, presidential Chief of Staff Moeldoko filed criminal defamation complaints with police against researchers from Indonesia Corruption Watch. The criminal complaint focuses on statements made by the organization in July accusing Moeldoko of having a conflict of interest in promoting the use of Ivermectin as a treatment for COVID-19 because of his daughter's close relationship with PT Harsen Laboratories, the producer of Ivermectin. Moeldoko denied that his daughter had any business relationship with PT Hansen Laboratories. Prior to filing these charges, Moeldoko sent three cease and desist letters to Indonesia Corruption Watch, the first delivered on July 29. As of year's end, the Criminal Investigative Agency of the police was investigating the complaint.

On September 22, Coordinating Minister of Maritime and Investment Affairs Luhut Pandjaitan filed criminal and civil defamation complaints with police against Fatia Maulidiyanti, coordinator for KontraS, and Haris Azhar, executive director of the Lokataru Foundation. The complaints focus on statements made by Maulidiyanti in an August 20 video hosted on Azhar's YouTube channel accusing Pandjaitan of having an economic interest in the conflict in Papua, based on an August report by a coalition of 10 NGOs on mining interests in Papua.



Pandjaitan's lawyers and spokesperson denied the activists' accusations and stated they lacked a factual basis for claiming Pandjaitan has a conflict of interest in Papua. As of year's end, the Criminal Investigative Agency was investigating the complaint after efforts to arrange mediation sessions between the parties stalled.

**National Security:** The government used legal provisions barring advocacy of separatism to restrict the ability of individuals and media to advocate peacefully for self-determination or independence in different parts of the country.

**Nongovernmental Impact:** Hardline Muslim groups sometimes intimidated perceived critics of Islam. On September 3, a group destroyed an Ahmadiyya mosque in Sintang Regency, West Kalimantan Province. The destruction of the mosque followed protests against the Ahmadi by a group called the Alliance of the Islamic Ummah and an August 14 order by the Sintang regent closing the mosque. Police arrested 22 individuals in connection with the case, naming three of those arrested as potential masterminds of the attack. As of November 24, government officials were investigating the incident and the involvement of hardline groups and the local government.

Criminal groups also reportedly used intimidation and violence against journalists who exposed their operations. On June 13, unknown persons set fire to the house of Syahzara Sopian, a journalist for a local newspaper in Binjai, North Sumatra. On June 26, four unknown armed persons, in an apparent attempt to kill him, attacked Sopian in a cafe; Sopian escaped. As of July 14, police had arrested five individuals and were still pursuing four other suspects in the case. Police reported that the apparent motive for the arson and attempted murder was Sopian's reporting on an illegal gambling ring operating in the city.

On November 7, a group calling itself the "Homeland Militant Defender Army" threw an explosive device into the house of the parents of human rights activist Veronica Koman in Jakarta, leaving behind a note containing threats and demanding that Koman return to the country. No one was injured in the bombing. Koman went to Australia in late 2019 after police stated she would be arrested on charges of inciting violent protests related to Papua. A police spokesperson stated that the bombing was likely related to Koman's activism related to the situation in Papua. As of November 24, there has been no update on the status of the police

investigation into the attack.

## **Internet Freedom**

The government prosecuted individuals for statements on the internet under the Electronic Information and Transactions law, which bans online crime, pornography, gambling, blackmail, false information, threats, hate speech, racist content, and defamation. The law carries maximum penalties of six years in prison, a substantial fine, or both. NGOs criticized the law's vague and ambiguous provisions, which they noted have been misused by authorities and private individuals to silence and punish critics, leading to increased self-censorship by journalists and activists.

In February the national chief of police issued a circular requesting police prioritize preventing crime under the Electronic Information and Transactions law. Specifically, police were requested to use cyber patrols of social media to find potentially offending content and request users to correct the content. The police reported that from February 23 to March 19, cyber patrols had flagged 189 social media postings as potentially violating the law and warned the authors to “correct” the content. For example, on March 13, a social media user criticized the competence of Gibran Rakabuming Raka, mayor of Solo and son of President Widodo. Virtual police responded with a comment on the social media page stating, “do not spread hoaxes on social media.” Subsequently police filmed and released a video showing the user being taken to a police station, processed, and then delivering a public apology for his posting.

On May 5, a judge released Jumhur Hidayat, a member of the opposition KAMI political organization, pending his trial for hate speech and spreading false information. Hidayat was arrested in October 2020 for a post on Twitter criticizing the government's Omnibus Bill on Job Creation as being for “primitive investors from China and greedy businesspeople.” According to media reports, Hidayat potentially faces 10 years in prison.

In June the government released revised implementing regulations for the Electronic Information and Transactions law that were intended to prevent “multiple interpretations” of the law. Human rights organizations welcomed some

of the clarifications made in the regulation but demanded legislation to resolve remaining problematic provisions in the law. NGOs reported that after the regulations were issued, government officials continued to use the law to threaten government critics.

NGOs continued to report that government officials used direct pressure on internet service providers to degrade perceived opponents' online communications. On April 21, SAFEnet, an NGO focused on internet freedom, reported suspicions that the government had restricted internet service four times in 2020 in Papua and West Papua to render the internet effectively unusable. This throttling was observed following a June 2020 Jakarta State Administrative Court decision that found that authorities exceeded their authority in directing an internet shutdown in Papua and West Papua in August and September 2019. On April 30, the day after the government announced its intention to designate armed Papuan separatist groups as terrorists, internet slowdowns hit four main regencies in Papua Province and continued until June 8. The Ministry of Information and Communication stated that the slowdowns were caused by seismic activity affecting the Biak-Jayapura submarine optical cable. Human rights activists reported their suspicions that the slowdowns may have been designed to disrupt reporting on government human rights abuses in Papua Province.

On October 27, the Constitutional Court overruled the June 2020 Jakarta State Administrative Court decision and determined that the government is within its rights to block internet access during periods of social unrest. Chairman of the Alliance of Independent Journalists Sasmito Madrim told press that this ruling “could threaten our freedom of press, and eventually our democracy could backslide.”

Human rights organizations reported that progovernment hackers often used doxing, disruptions to online events, and hacking of social media accounts to threaten and intimidate government critics. Activists also reported “food bombing,” in which online apps for ordering food were hacked and numerous orders attributed to NGOs, journalists, and others placed with payment selected as cash on delivery. SAFEnet reported that in 2020 activists experienced 147 digital attacks; the most attacks (41) occurred in October during protests over the

government's Omnibus Bill on Job Creation.

During a May 17 anticorruption webinar hosted by Indonesia Corruption Watch, multiple users joined the webinar and posted pornographic images. At the same time, several employees of Indonesia Corruption Watch had their WhatsApp accounts hacked and began to receive robocalls from foreign phone numbers.

In June a student from Teknokra University in Lampung, Khairul, was the target of cyber harassment for his role as contact person for a discussion on racial discrimination against Papuans. Khairul received numerous phone calls from unknown numbers, had his address released, received death threats, and had his social media account hacked. The incidents were reported to police, but according to lawyers for Khairul, police refused to investigate because of a lack of evidence.

In July two members of the Student Political Block, who had been accused of masterminding a demonstration entitled "Jokowi End Game," had their personal information posted online and received death threats.

NGOs and media reported that paid groups of cyber troops, colloquially called "buzzers," used bots and fake social media accounts to shape political discourse online. Researchers reported that buzzers were frequently used by both pro- and antigovernment groups. Media reported that the government directly financed some buzzer operations.

On July 15, Citizen Lab, based at the University of Toronto, released a report on the use of spyware produced by the Israeli company Candiru, which was reportedly only sold to government clients. The report concluded that the spyware was used against the Indonesian news website IndoProgress.com.

On August 31, Citizen Lab released a report entitled *No Access: LGBTIQ Website Censorship in Six Countries*, which examined censorship of websites in the country from June 2016 to July 2020. The report found 38 lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) websites had been blocked during this period, although none of these websites were in Indonesian languages.

The Ministry of Communication and Information Technology continued to request that internet service providers block access to content containing "prohibited

electronic information,” including pornography, radical religious content, extortion, threats, pirated media, “hoax news,” and hate speech. NGOs reported that the ministry also sometimes requested removal of content critical of the government or containing information related to LGBTQI+ issues. Failure to enforce these restrictions could result in the revocation of a provider’s license. The government also intervened with social media, search engines, app stores, and other websites to remove offensive and extremist content and revoked the licenses of those that did not promptly comply with government demands.

### **Academic Freedom and Cultural Events**

The government generally did not place restrictions on cultural events or academic freedom but occasionally disrupted sensitive cultural events or activities or failed to prevent nongovernmental groups from doing so. NGOs reported academic sanctions against students perceived as criticizing the government or discussing sensitive topics. NGOs also reported that professors at government universities sometimes faced threats of professional retaliation for political criticism of the government or involvement in events and studies related to sensitive topics such as the conflict in Papua. Universities and other academic institutions also sometimes succumbed to pressure from Islamist groups seeking to restrict sensitive events and activities.

In June the Student Executive Board at the University of Indonesia released a message on Instagram labeling President Widodo the “King of Lip Service.” The University of Indonesia rectorate considered the post a violation of university regulations and called in Student Executive Board members for counseling.

On September 2, a statistics lecturer at Syiah Kuala University, Saiful Mahdi, began a three-month prison sentence in Aceh Province for a WhatsApp message he sent in 2019 to other faculty members criticizing how a civil service test was administered in 2018. In the message, Saiful pointed out irregularities in the test and suggested the assessment process should be reviewed. The dean of the engineering faculty, who was not named in the message, reported Saiful for defamation. Saiful was originally convicted and sentenced in April 2020; his appeal to the Supreme Court was rejected in June 2021. On October 13, Mahdi received amnesty from the President Widodo.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, but the government sometimes restricted these freedoms.

### **Freedom of Peaceful Assembly**

The law provides for freedom of assembly, and outside Papua the government generally respected this right. The law requires demonstrators to provide police with written notice three days before any planned demonstration and requires police to issue a receipt for the written notification. This receipt acts as a de facto license for the demonstration. Restrictions on public gatherings imposed to address the COVID-19 pandemic limited the public's ability to demonstrate. NGOs claimed that the government selectively enforced COVID-19 related restrictions to prevent antigovernment protests.

Police in Papua routinely refused to issue such demonstration receipts, believing the demonstrations would include calls for independence, an act prohibited by law. A Papua provincial police decree prohibits rallies by seven organizations labeled as pro-independence, including the National Committee of West Papua, the United Liberation Movement for West Papua, and the Free Papua Movement.

On May 25, several hundred persons joined a protest against the extension and revision of Papua's special autonomy in Manokwari Regency, West Papua. Police dispersed the crowd, stating it was a violation of COVID-19 restrictions on public gatherings, arresting 146 individuals. On August 10, police arrested 14 students from Cendrawasih University in Jayapura, Papua Province for involvement in a protest demanding the release of Victor Yeimo (see section 1.e.). NGOs reported that these protesters were often injured in the process of arrest.

NGOs reported that protests related to Papua across the country were routinely disrupted by police and protesters were arrested. On January 27, protesters gathering in front of the parliament building in Jakarta were arrested before they could begin their demonstration against the extension and revision of Papua's special autonomy. On March 5, Papuan students held a protest in Semarang, Central Java Province opposing the extension and revision of Papua's special

autonomy. Police disbursed the protest and arrested 20 individuals. On March 8, police arrested 46 persons in Denpasar, Bali Province, during a protest against the extension and revision of Papua's special autonomy; police said they were arrested for violating COVID-19 related restrictions.

On March 9, Malang Police Chief Senior Commander Leonardus Harapantua Simarmata Permata threatened protesters from the Papuan Students Alliance in Malang, East Java. In a video of the incident, which was spread widely online, Permata can be heard saying "if you cross that line your blood is halal." Activists and media reported the statement as a threat to shoot the protesters if they crossed a police barrier. On March 23, a Police Internal Affairs spokesperson stated they were investigating the incident. In June Permata was reassigned to be principal examiner for the National Police Forensic Lab; it was not clear whether this reassignment was related to the incident.

On May 1, students in Medan, North Sumatra Province, protested against the 2020 Omnibus Law on Job Creation, calling for its cancellation. Police arrested 14 of the protesters, during which time several students were injured.

## **Freedom of Association**

The constitution and law provide for freedom of association, which the government generally respected. The regulations on registration of organizations were generally not onerous. Some LGBTQI+ advocacy groups, however, reported that when attempting to register their organizations, they were unable to state explicitly that they were LGBTQI+ advocacy groups on their registration certificate.

To register officially, foreign NGOs must have a memorandum of understanding with a government ministry. Some organizations reported difficulties obtaining these memoranda and claimed the government withheld them to block their registration, although cumbersome bureaucracy within the Ministry of Law and Human Rights was also to blame. Foreign NGOs could continue to operate in the country without registration, but those lacking registration were unable to work directly with government programs.

In December 2020, Coordinating Minister for Political, Legal, and Security Affairs Mahfud MD announced a joint ministerial decree that declared the Islamic Defenders Front, a hardline Islamic organization, “nonregistered” and banned the organization, its symbols, and its activities. The Islamic Defenders Front’s permit to operate as a religious organization expired in June 2019; it was operating without a clear legal status for 18 months. Mahfud MD stated that during this period the organization had broken the law and violated public order and refused to amend its articles of association to make it consistent with the law, specifically the national ideology of Pancasila. A coalition of prominent human rights organizations released a statement asserting that while they criticized the Islamic Defenders Front’s violent actions, hate speech, and violations of the law, the joint ministerial decree was not consistent with the country’s constitution and was an unjust restriction on the rights of association and expression.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The law provides for freedom of internal movement and generally allows for travel outside of the country. The law gives the military broad powers, in a declared state of emergency, to limit land, air, and sea traffic. The government did not use these powers during the year. The government instituted a variety of restrictions on movement intended to prevent the spread of COVID-19. Some NGOs and activists criticized the frequent changes of these restrictions and their inconsistent enforcement.

**In-country Movement:** The government continued to impose administrative hurdles for travel by NGOs, journalists, foreign diplomats, and others to Papua and West Papua. After the COVID-19 pandemic began, authorities severely limited movement in and out of Papua and West Papua, enforcing these restrictions far more strictly and for a longer period than elsewhere.



## **e. Status and Treatment of Internally Displaced Persons**

The government collects data on displacement caused by natural hazards and conflict through the National Disaster Management Authority, although the lack of systematic monitoring of return and resettlement conditions made it difficult to estimate reliably the total number of internally displaced persons (IDPs). The Internal Displacement Monitoring Center reported there were 161,000 IDPs due to disasters and 40,000 IDPs due to conflict and violence as of December 2020.

The law stipulates the government must provide for “the fulfillment of the rights of the people and displaced persons affected by disaster in a manner that is fair and in line with the minimum service standards.” IDPs in towns and villages were not abused or deprived of services or other rights and protections, but resource and access constraints delayed or hindered the provision of services to IDPs in some cases, notably for those who fled to the countryside and forests to escape conflict in Papua and West Papua.

The return of persons displaced by conflict in Papua and West Papua was slow and difficult. Fighting in the highlands of Puncak Regency, Papua Province in 2019 led to thousands of displaced persons relocating to the capital of Illaga. The local government recorded that as of June 2, approximately 3,019 persons from 23 villages remained displaced as a result of conflict.

## **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The country is not a signatory to the 1951 UN Refugee Convention and does not allow permanent local settlement or naturalization of asylum seekers or persons judged to be refugees. The government allows refugees to settle temporarily while awaiting permanent resettlement. The law acknowledges UNHCR’s role in processing all refugee status determinations in the country. Regulations establish a detailed refugee management process, outlining

the specific responsibilities of national and subnational agencies from the time of refugee arrival to departure for resettlement or repatriation. UNHCR officials reported 13,343 known refugees and asylum seekers were in the country as of August.

**Abuse of Migrants and Refugees:** Migrant workers were often subjected to police extortion and societal discrimination.

Rohingya Muslims were a small but growing segment of the refugee and asylum-seeker population. Members of the community stated they were often denied proper medical treatment. Community representatives alleged the government aggressively monitored them and that they faced severe restrictions on their freedom of movement – for example, Rohingya who married locals were not permitted to leave refugee housing – and faced challenges finding work. In January hundreds of Rohingya who had been residing in a refugee camp in Aceh Province were reported missing, suspected to have been smuggled, or potentially trafficked, to neighboring Malaysia. Officials reported that just 112 refugees remained in the camp, although almost 400 arrived between June and September 2020.

**Employment:** The government prohibits refugees from working, although it did not strictly enforce this prohibition. In May immigration officials in Wajo Regency, South Sulawesi, arrested two Afghan refugees for working as construction laborers.

**Access to Basic Services:** The government did not generally prohibit refugees from accessing public elementary education, although many barriers prevented enrollment of more than a small number of refugee children, including lack of access to government-issued student identification numbers. A small number of refugees enrolled in language and other classes in private, refugee-run schools or in NGO-sponsored programs. Refugees have access to basic public-health services through local health clinics, which the government subsidized. Treatment for more serious conditions or hospitalization, however, was not covered under this program. Since early in the year, the government also prohibited refugees from receiving COVID-19 vaccinations, despite repeated requests from refugee advocacy organizations. Some local governments provided vaccines to refugees.

Authorities in Aceh vaccinated 81 Rohingya upon disembarkation, and authorities in Banten and Bekasi vaccinated a few hundred refugees.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

**Recent Elections:** In April 2019 Joko Widodo (popularly known as Jokowi) won a second five-year term as president. Voters also elected new members of the House of Representatives and the Regional Representative Council, as well as provincial and local legislatures. Domestic and international observers deemed the elections free and fair.

**Participation of Women and Members of Minority Groups:** No law limits participation of women and members of historically marginalized or minority groups in the political process, and they did participate. The law on political parties mandates that women comprise a minimum of 30 percent of the founding membership of a new political party.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, but government efforts to enforce the law were insufficient. There were numerous reports of government corruption during the year. Despite the arrest and conviction of many high-profile and high-ranking officials, including the former ministers of maritime and social affairs, there was a widespread perception that corruption remained endemic. NGOs claimed that endemic corruption was one cause for human rights abuses, with moneyed interests using corrupt government officials to harass and intimidate activists and groups that impeded their businesses.

The Corruption Eradication Commission, national police, the armed forces'

Special Economics Crime Unit, and the Attorney General's Office may all investigate and prosecute corruption cases. Coordination between these offices, however, was inconsistent and coordination with the armed forces unit was nonexistent. The Corruption Eradication Commission does not have authority to investigate members of the military, nor does it have jurisdiction in cases where state losses are valued at less than IDR one billion (\$70,000).

Many NGOs and activists maintained that the Corruption Eradication Commission's ability to investigate corruption was limited because its supervisory body was selected and appointed by the president and because the commission was part of the executive branch. Commission investigators were sometimes harassed, intimidated, or attacked because of their work.

On May 5, the Corruption Eradication Commission conducted a civics exam for all commission employees as part of a legally mandated transition process to convert commission staff to regular civil service status. Seventy-five employees failed the test, including prominent investigators who had criticized the commission's leadership and 2019 amendments to the commission's statute and who were involved in many high-profile investigations, including those of two ministers (see below). On July 15, the national ombudsman concluded the exam was improperly administered and that the commission lacked the legal standing to compel employees to take the exam. NGOs and media reported that the test was a tactic to remove specific investigators, including Novel Baswedan, a prominent investigator who had led a case resulting in the imprisonment of the speaker of the House of Representatives and who had been injured in an acid attack perpetrated by two police officers. On September 30, the commission dismissed 57 of the 75 who failed the test.

On August 30, the commission's supervisory board determined that the commission Deputy Chairperson Lili Pintauli Siregar was guilty of an ethics violation in her handling of a bribery case involving the mayor of Tanjung Balai, Muhammad Syahrial. The board determined Siregar had inappropriate contact with the subject of an investigation for her own personal benefit and imposed a one-year, 40 percent pay reduction for Siregar for the infraction.

**Corruption:** The Corruption Eradication Commission investigated and

prosecuted officials suspected of corruption at all levels of government. Several high-profile corruption cases involved large-scale government procurement or construction programs and implicated legislators, governors, regents, judges, police, and civil servants. In 2020 the commission recovered state assets worth approximately IDR 152 billion (\$10.7 million); it conducted 114 investigations, initiated 81 prosecutions, and completed 111 cases resulting in convictions. The Attorney General Office's Corruption Taskforce was also active in the investigation and prosecution of high-profile corruption cases.

On March 10, two police generals were convicted and sentenced for taking bribes from Djoko Soegiarto Tjandra, a fugitive from charges of involvement in a Bank Bali debt scandal, to assist him in traveling around the country while a fugitive. Inspector General Napoleon Bonaparte was sentenced to four and one-half years in prison for taking IDR 7.2 billion (\$500,000) in bribes; Brigadier General Prasetyo Utomo was sentenced to three and one-half years for taking IDR 1.4 billion (\$100,000). On April 5, Tjandra was sentenced to four and one-half years in prison for bribing Bonaparte, Utomo, and a prosecutor.

On July 16, former minister of marine affairs and fisheries Edhy Prabowo was found guilty of accepting bribes from businessmen and misusing his authority to expedite export permits for lobster larvae. Prabowo was sentenced to five years in prison, a substantial fine, and barred from public office for three years after the end of his sentence.

On August 23, former social affairs minister Juliari Peter Batubara was found guilty of accepting IDR 20.8 billion (\$1.45 million) in kickbacks related to government food assistance programs created to alleviate hunger during the COVID-19 pandemic. Juliari was sentenced to 12 years in prison, ordered to pay IDR 14.6 billion (\$1 million) in restitution, a fine of IDR 500 million (\$34,700), and barred from running for public office for four years after the end of his prison term.

According to NGOs and media reports, police commonly demanded bribes ranging from minor payoffs in traffic cases to large amounts in criminal investigations. Corrupt officials sometimes subjected Indonesian migrants returning from abroad, primarily women, to arbitrary strip searches, theft, and extortion.

Bribes and extortion influenced prosecution, conviction, and sentencing in civil and criminal cases. Anticorruption NGOs accused key individuals in the justice system of accepting bribes and condoning suspected corruption. Legal aid organizations reported cases often moved very slowly unless a bribe was paid, and in some cases, prosecutors demanded payments from defendants to ensure a less zealous prosecution or to make a case disappear.

In 2020 the National Ombudsman received 284 complaints related to maladministration in court decisions. From January 1 to October 30, 2020, the Judicial Commission received 1,158 public complaints of judicial misconduct and recommended sanctions against 121 judges. The Judicial Commission reported that from January 4 to April 30, they had received 494 complaints of judicial misconduct.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Domestic and international human rights organizations generally operated without government restriction, except in Papua and West Papua, investigating and publishing findings on human rights cases and advocating improvements to the government's human rights performance. Government representatives met with local NGOs, responded to their inquiries, and took some actions in response to NGO concerns. Some officials subjected NGOs to monitoring, harassment, interference, threats, and intimidation. On May 10, General Paulus Waterpauw stated that some NGOs and activists enflamed the situation in Papua and perpetuated the separatist movement there.

**The United Nations or Other International Bodies:** The government generally permitted UN officials to monitor the human rights situation in the country, except in Papua and West Papua. Security forces and intelligence agencies, however, tended to regard foreign human rights observers with suspicion, especially those in Papua and West Papua, where their operations were restricted. NGOs continued to press the government to allow the UN High Commissioner on Human Rights to visit Papua and West Papua to assess the human rights situation there.

**Government Human Rights Bodies:** Many independent agencies addressed human rights problems, including the Office of the National Ombudsman, the National Commission on Violence against Women, and the National Human Rights Commission. The government is not required to adopt their recommendations and at times avoided doing so. Some agencies, including the human rights and violence against women commissions, may refer cases to police or prosecutors.

The Aceh Truth and Reconciliation Commission, established to investigate human rights violations perpetrated by the government and the then active Free Aceh Movement between 1976 and 2005, has taken statements from victims, former separatists, and witnesses between 2016 and 2020. Budget constraints posed challenges for the commission.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law prohibits rape, domestic abuse, and other forms of violence against women. The legal definition of rape covers only forced penetration of sexual organs, and filing a case requires a witness or other corroboration. Rape is punishable by four to 14 years in prison and a substantial fine. While the government imprisoned some perpetrators of rape and attempted rape, sentences were often light, and many convicted rapists received the minimum sentence. Marital rape is not a specific criminal offense in law but is covered under “forced sexual intercourse” in national legislation on domestic violence and may be punished with criminal penalties.

The National Commission on Violence against Women reported receiving 2,300 complaints of violence against women in 2020, up from 1,400 in 2019 – the Commission attributed the upswing in part to social and economic impacts of the COVID-19 pandemic, as well as increased willingness of victims to report incidents. On August 24, the commission reported that in the first six months of the year, it received more than 2,500 complaints – the majority of which were domestic violence incidents. Civil society activists underscored that many cases went unreported, as many victims did not report abuse because of fear of social

stigma, shame, and lack of support from friends and family.

On June 13, a 16-year-old girl was detained for questioning in West Halmahera Regency, North Maluku Province and taken to the South Jailolo Police Station. While detained the girl was raped by a police officer at the station who threatened her with jail time if she refused to have sex with him. On June 23, North Maluku police reported that the officer had been dishonorably discharged from the police and arrested pending trial for rape.

Civil society organizations operated integrated service centers for women and children in all 34 provinces and approximately 436 districts and provided counseling and support services of varying quality to victims of violence. Larger provincial service centers provided more comprehensive psychosocial services. Women living in rural areas or districts with no such center had difficulty receiving support services, and some centers were only open for six hours a day, not the required 24 hours. Nationwide, police operated “special crisis rooms” or “women’s desks” where female officers received reports from female and child victims of sexual assault and trafficking and where victims found temporary shelter.

In addition to 32 provincial-level antitrafficking-in-persons task forces, the government has 251 task forces at the local (district or city) level, which were usually chaired by the head of the local integrated service center or of the local social affairs office.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C reportedly occurred regularly. There were no recent reliable data on FGM/C. Using 2013 data, UNICEF estimated that 49 percent of girls aged 11 and younger underwent some form of FGM/C, with the majority of girls subjected to the procedure before they were six months old. National law prohibiting this practice has never been tested in court, as no one has ever been charged for performing FGM/C. The Ministry of Women’s Empowerment and Child Protection continued to lead official efforts to prevent FGM/C.

**Sexual Harassment:** The law prohibiting indecent public acts serves as the basis for criminal complaints stemming from sexual harassment. Violations are



punishable by imprisonment of up to two years and eight months and a small fine. Civil society and NGOs reported sexual harassment was a problem countrywide.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. NGOs reported that social stigma and bullying of female students related to menstruation occurred, and that female students had inadequate access to menstrual education, hygiene products, and hygienic facilities at schools. Such inadequacy prevented female students from appropriately managing menstruation, frequently resulting in absenteeism from school during menstruation. (See the Female Genital Mutilation/Cutting subsection for additional information.)

The law recognizes the basic right of couples and individuals to decide the number, spacing, and timing of their children, but various regulations undercut its effective implementation for women. By law the government must provide information and education on reproductive health that do not conflict with religious or moral norms. NGOs reported that government officials attempted to restrict the provision of reproductive health information related to contraceptives and other services deemed as conflicting with religious or moral norms.

While condoms were widely available, regulations require husbands' permission for married women to obtain other forms of birth control. Local NGOs reported that unmarried women found it difficult to obtain contraceptives through health-care systems. Media and NGOs reported such women were stigmatized, including by health-care staff who repeatedly asked about marital status and sometimes turned away unmarried women seeking routine procedures such as pap smears.

The UN Population Fund reported that the COVID-19 pandemic disrupted access to family planning and reproductive services. The National Agency for Population and Family Planning reported that approximately 10 percent of its clients dropped out of its programs during the pandemic.

NGOs reported that reproductive health services were not consistently provided to victims of sexual violence. NGOs reported rape victims sometimes experienced difficulties obtaining emergency contraceptives from medical providers.

According to 2017 World Health Organization data, the maternal mortality rate was 177 per 100,000 live births, down from 184 in 2016. The Ministry of Health and NGOs identified several factors contributing to the maternal mortality rate, including lack of training for midwives and traditional birth attendants, continued lack of access to basic and comprehensive emergency obstetric care, and limited availability of essential maternal and neonatal medications. Hospitals and health centers did not always properly manage complicated procedures, and financial barriers and the limited availability of qualified health personnel caused problems for referrals in case of complications. A woman's economic status, level of education, and age at first marriage also affected maternal mortality.

**Discrimination:** The law provides the same legal status and rights for women and men in family, labor, property, and nationality law, but it does not grant widows equal inheritance rights. The law states that women's work outside the home must not conflict with their role in improving family welfare and educating the younger generation. The law designates the man as the head of the household.

Divorce is available to both men and women. Many divorced women received no alimony, since there is no system to enforce such payments. The law requires a divorced woman to wait 40 days before remarrying; a man may remarry immediately.

The National Commission on Violence against Women viewed many local laws and policies as discriminatory. These included "morality laws" and antiprostitution regulations.

In January media widely reported that a Christian female student was forced to wear a hijab in Padang, West Sumatra. In May the Supreme Court invalidated a government ban issued in February on such school regulations, stating that it conflicted with laws regarding the national education system, protection of children, and local government. A March report by Human Rights Watch detailed widespread and intense social pressure for women to wear hijabs in schools and government offices, in addition to requirements in official regulations. Women faced discrimination in the workplace, both in hiring and in gaining fair compensation (see section 7.d.).

## **Systemic Racial or Ethnic Violence and Discrimination**

The law contains provisions specifically aimed at eliminating racial and ethnic discrimination, providing criminal penalties for individuals who discriminate on ethnic/racial grounds, as well as sentencing enhancements for violent actions that include a racial or ethnic motivation. The law defines hate speech as spreading hate against a race, tribe, religion, or group. The government generally applied hate speech law in cases related to race.

NGOs reported that persons of Melanesian descent, predominantly from Papua and West Papua, faced widespread discrimination throughout the country. Persons of Melanesian descent often faced police abuse (see sections 1.c., 1.g., and 2.b.)

In a January interview, former National Intelligence Agency chief General Hendropriyono suggested that two million Papuans should be resettled away from their homeland so that they would be “racially separate from the Papuans in Papua New Guinea” and feel more Indonesian.

In January Ambroncius Nababan, chairman of the pro-president Widodo Projamin Volunteer Organization, used racist language and images of a gorilla to attack Natalius Pigai, former human rights commissioner and an ethnic Papuan, over Pigai’s criticism of the Sinovac COVID-19 vaccine.

An Amnesty International report covering protests in July and August related to the extension and revision of special autonomy found that police officers involved in arresting or causing injury to Papuan protesters had referred to them as “monkeys.”

Papuan activists emphasized that although Papua and West Papua are rich in natural resources, the local Melanesian population has historically not fully benefitted from these resources and much of the local economy has long been controlled by non-Melanesians. Statistics Indonesia, a government agency, reported that in 2020 the provinces of Papua and West Papua had the lowest Human Development Index and highest poverty rate of the country’s 34 provinces. On July 15, the House of Representatives unanimously passed a bill extending special autonomy for the provinces of Papua and West Papua, which included an

increase in the yearly allocation of government funds to Papua from 2 to 2.25 percent of the national budget intended to address this inequality. Opponents of this bill claimed the economic benefits of this increase would disproportionately benefit non-Melanesians.

## **Indigenous Peoples**

The government viewed all citizens as “indigenous” but recognized the existence of several “isolated communities” and their right to participate fully in political and social life. The Indigenous Peoples’ Alliance of the Archipelago estimated that between 50 and 70 million indigenous persons were in the country. These communities include the Dayak tribes of Kalimantan, families living as sea nomads, and the 312 officially recognized indigenous groups in Papua. Indigenous persons, most notably in Papua and West Papua, were subjected to discrimination.

There was little improvement in respect for indigenous persons’ traditional land rights and access to ancestral lands remained a major source of tension throughout the country. The government failed to prevent companies, often in collusion with local military and police units, from encroaching on indigenous peoples’ land. Central and local government officials were also alleged to have extracted kickbacks from mining and plantation companies in exchange for land access at the expense of indigenous peoples.

Mining and logging activities, many of them illegal, posed significant social, economic, and legal problems for indigenous communities. Melanesians in Papua cited racism and discrimination as drivers of violence and economic inequality in the region.

NGOs reported that as of January, only approximately 193 square miles of a proposed 38,610 square miles has been granted to local indigenous groups. These *hutan adat* (customary forest) land grants are specifically designated for indigenous groups. Nevertheless, large corporations and the government continued to displace individuals from ancestral lands. NGOs reported that security forces and police sometimes became involved in disputes between corporations and indigenous communities, often taking the side of the businesses.

From January 2020 to March 2021, Amnesty International reported 61 cases of indigenous community members arrested without due process of law – a trend the NGO identified as an attempt to criminalize indigenous community’s efforts to maintain their customary rights.

In May the West Papua government rescinded 12 licenses held by companies operating palm oil plantations in the province. The 12 licenses covered a total of 1,034 square miles. The rescissions came after the provincial government collaborated with the Corruption Eradication Commission and the NGO EcoNusa to review 24 palm oil license holders for administrative and legal violations.

On May 18, security personnel from PT Toba Pulp Lestari clashed with thousands of residents in Toba Regency, North Sumatra, injuring dozens of residents. The confrontation started because of the company’s plans to plant eucalyptus trees on 2.3 square miles claimed by the local indigenous community as customary land. The conflict was part of a long-standing dispute. From 2020 to May 2021, PT Toba Pulp Lestari reported 71 members of the local indigenous community to police for a variety of offenses.

In June Human Rights Watch released an in-depth report on the operations of PT Sintang Raya’s palm oil plantations and the company’s disputes with the local indigenous community in Kubu Raya Regency, West Kalimantan Province. The report stated that government “authorities have done very little to mediate and resolve disputes” about land ownership.

## **Children**

**Birth Registration:** Citizenship is derived through the citizenship of one’s parents. If citizenship of the parents cannot be determined, or the parents lack citizenship, citizenship can be acquired by birth in national territory.

The law prohibits fees for legal identity documents issued by the civil registry. Nevertheless, NGOs reported that in some districts local authorities did not provide free birth certificates.

**Education:** Although the constitution states that the government must provide tuition-free education, it does not cover fees charged for schoolbooks, uniforms,

transportation, and other nontuition costs. The Ministry of Education and Culture, representing public and private schools, and the Ministry of Religious Affairs for Islamic schools and madrassahs, operated a system giving students from low-income families a financial grant for their educational needs. Nonetheless, high poverty rates nationwide put education out of reach for many children.

According to the Ministry of Women's Empowerment and Child Protection's 2019 *Children Profile Report*, approximately 10.9 million children ages five to 17 had not attended school and 3.2 million children had dropped out of school.

**Child Abuse:** The law prohibits child abuse, but NGOs criticized the slow police response to such allegations. The law also addresses economic and sexual exploitation of children. Some provincial governments did not enforce these provisions. In April, six female primary school students alleged their school principal had sexually assaulted them in Medan, North Sumatra. In May the principal was arrested and named as a suspect by police. In May a Quran teacher in Bekasi, West Java Province, was arrested for allegedly molesting a 15-year-old female student in a mosque where he worked.

**Child, Early, and Forced Marriage:** The minimum marriage age for women and men is 19. Exceptions to the minimum age requirements are allowed with court approval. The courts officially permitted more than 33,000 child marriages with parental consent between January and June 2020, with 60 percent of these involving individuals younger than 18. Children's rights activists are concerned that increased economic pressure from COVID-19 may be leading parents to resort to child marriage to reduce the economic burden on their households. The National Statistics Agency reported in 2018 that approximately 11 percent of girls in the country married before the age of 18. Provinces with the highest rates of early marriage include West Sulawesi, Central Kalimantan, Southeast Sulawesi, South Kalimantan, and West Kalimantan. The main drivers of early marriage were poverty, cultural tradition, religious norms, and lack of sexual reproductive-health education.

The reduction of child marriage is one of the targets set in the *National Mid-Term Development Plan 2020-2024*. The government aimed to reduce new child marriages to 8.7 percent of all marriages by 2024.

**Sexual Exploitation of Children:** The law forbids consensual sex outside of marriage with girls younger than 15. It does not address heterosexual conduct between women and boys, but it prohibits same-sex sexual conduct between adults and minors.

The law prohibits the commercial sexual exploitation of children and the use of children in illicit activities. It also prohibits child pornography and prescribes a maximum sentence of 12 years and a substantial fine for producing or trading in child pornography.

According to 2016 data, the most recent available from the Ministry of Social Affairs, there were 56,000 underage sex workers in the country; UNICEF estimated that nationwide 40,000 to 70,000 children were victims of sexual exploitation and that 30 percent of female commercial sex workers were children.

In February media reported that an online matchmaking service named Aisha Weddings promoted services for those between the ages of 12 and 21 on its website and advertised unregistered and polygamous marriages. The website was blocked soon after being reported. Police stated that the website was registered in a foreign country.

From April to July, a mosque administrator allegedly sexually abused 16 children in Makassar, South Sulawesi Province in the mosque. The administrator paid the victims 10 to 20 thousand IDR (\$0.70 to \$1.40) to agree to engage in the sexual acts. In August police arrested the man, who faces up to 15 years in prison if convicted.

**Displaced Children:** Ministry of Social Affairs data from December 2020 estimated there were 67,368 street children in the country. The government continued to fund shelters administered by local NGOs and paid for the education of some street children.

**Institutionalized Children:** The Ministry of Social Affairs reported that in 2019 183,104 children were registered in its Integrated Social Welfare Data system, of whom 106,406 were residing in 4,864 child welfare institutions; 76,698 were in family placement.

In August two orphan children at the al-Amin Orphanage in Gresik Regency, East Java Province, were abused by the son of the orphanage's administrator. The abuser used a wire to beat the two children, aged 10 and 11. The incident was reported to police.

**International Child Abductions:** The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's Annual Report on International Parental Child Abduction at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

The country's Jewish population was extremely small, estimated at approximately 200. There were no significant reports of anti-Semitism, but studies in recent years indicated a high level of anti-Semitic sentiment, often linked with strong anti-Israeli sentiment.

## **Trafficking in Persons**

See the Department of State's Trafficking in Persons Report at <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities and mandates accessibility to public facilities for persons with disabilities. The law applies to education, employment, health services, transportation, and other state services but was seldom enforced. Comprehensive disability rights law provisions impose criminal sanctions for violators of the rights of persons with disabilities. Persons with disabilities were disproportionately affected by the COVID-19 crisis. They had difficulties accessing information on the pandemic, following virus-related public health strategies, and receiving health care from service providers.

According to Ministry of Women's Empowerment and Child Protection data from 2019, approximately 650,000 children ages two to 17 have disabilities. There was



no reliable data on their access to education, but observers believed it was low.

According to the General Election Commission, there were potentially 137,247 voters with disabilities out of 105 million voters registered to vote in the 2020 regional head elections. The law provides persons with disabilities the rights to vote and run for office, and election commission procedures provide for access to the polls for voters with disabilities.

Despite a government ban, NGOs reported that families, traditional healers, and staff in institutions continued to shackle individuals with psychosocial disabilities, in some cases for years. The government continued to prioritize elimination of this practice. During the COVID-19 pandemic, the practice of shackling increased, after declining for several years. According to Ministry of Health data, in the year prior to the pandemic there were 5,227 cases of shackling nationwide, but during the pandemic the number increased to 6,278 by the end of 2020, with the largest increase coming in East Java Province where the number of cases jumped from 961 to 2,302. NGOs noted a lack of public awareness of the issue.

## **HIV and AIDS Social Stigma**

The stigmatization of and discrimination against persons with HIV or AIDS were pervasive, despite government efforts to encourage tolerance. Societal tolerance varied widely and official fear of a backlash from religious conservatives often resulted in muted prevention efforts. Societal barriers to accessing antiretroviral drugs and their expense put these drugs beyond the reach of many. Persons with HIV or AIDS reportedly continued to face employment discrimination. Closer collaboration between the Ministry of Health and civil society organizations increased the reach of the government's awareness campaign; however, some clinics refused to provide services to persons with HIV or AIDS.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

No national law criminalizes same-sex sexual conduct, except between adults and minors. NGOs reported numerous cases of local government regulations that define same-sex sexual conduct as a form of sexual deviance. Aceh's sharia makes

consensual same-sex sexual conduct illegal and punishable by a maximum of 100 lashes, a considerable fine, or a 100-month prison term. According to Aceh's sharia agency chief, at least four witnesses must observe individuals engaging in consensual same-sex sexual conduct for them to be charged. Local organizations held anti-LGBTQI+ protests. NGOs reported that fear of prosecution under Aceh's sharia at times caused LGBTQI+ activists to flee the province, sometimes permanently. Producing media depicting consensual same-sex sexual conduct – vaguely and broadly defined in the law – can be prosecuted as a crime under the antipornography act. Penalties include potentially extremely large fines and imprisonment from six months to 15 years, with heavier penalties for crimes involving minors.

In August a military tribunal in North Kalimantan dismissed a soldier from service and sentenced him to seven months in prison for having same-sex intercourse. The judges stated that the soldier had violated military regulations against immorality and LGBTQI+ activities.

Antidiscrimination law does not protect LGBTQI+ individuals, and discrimination and violence against LGBTQI+ persons continued. Families often put LGBTQI+ minors into conversion therapy, confined them to their homes, or pressured them to marry persons of the opposite sex.

According to media and NGO reports, local authorities harassed transgender persons, including by forcing them to conform to cultural standards of behavior associated with their biological sex or to pay bribes following detention. In many cases, officials failed to protect LGBTQI+ persons from societal abuse. Police corruption, bias, and violence caused LGBTQI+ persons to avoid interaction with police. Officials often ignored formal complaints by victims and affected persons, including refusing to investigate bullying directed at LGBTQI+ individuals. In criminal cases with LGBTQI+ victims, police investigated the cases reasonably well, as long as the suspect was not affiliated with police. Human Rights Watch Indonesia noted anti-LGBTQI+ rhetoric in the country has increased since 2016.

In 2020 Hendrika Mayora Kelan was elected to head of the consultative body of a small village in East Nusa Tenggara Province, becoming the country's first transgender public official.

Transgender persons faced discrimination in employment and access to public services and health care. NGOs documented government officials' refusal to issue identity cards to transgender persons. NGOs reported that transgender individuals sometimes faced problems in getting COVID-19 vaccinations due to the lack of identity documents. The law only allows transgender individuals officially to change their gender after the completion of sex reassignment surgery. Some observers claimed the process was cumbersome and degrading because it is permissible only in certain undefined special circumstances and requires a court order declaring that the surgery is complete. In June the Ministry of Home Affairs announced that it would start providing electronic identity cards to transgender individuals; however, the name and gender on the card would remain those given at birth, absent a court order showing a change of name or gender.

LGBTQI+ NGOs operated but frequently held low-key public events because the licenses or permits required for holding registered events were difficult to obtain or they were pressured by police not to hold such events to avoid creating "social unrest."

## **Other Societal Violence or Discrimination**

Individuals diagnosed with or suspected of having the COVID-19 virus faced discrimination in their communities.

Individuals suspected of using black magic were often targets of violence. In May prisoners in Merauke, Papua, killed two ethnic Marind prisoners accused of using magic to curse other prisoners. In May, three men killed a farmer in the Kangean Islands for his suspected use of magic to kill a woman.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, with restrictions, provides for the rights of workers to join independent unions, conduct legal strikes, and bargain collectively. The law prohibits antiunion discrimination.

Workers in the private sector have, in law, broad rights of association and formed

and joined unions of their choice without previous authorization or excessive requirements. The law places restrictions on organizing among public-sector workers. Civil servants may only form employee associations with limitations on certain rights, such as the right to strike. Employees of state-owned enterprises may form unions, but because the government treats most such enterprises as essential national interest entities, their right to strike is limited.

The law stipulates that 10 or more workers have the right to form a union, with membership open to all workers, regardless of political affiliation, religion, ethnicity, or gender. The Ministry of Manpower records, rather than approves, the formation of a union, federation, or confederation and provides it with a registration number.

The law allows the government to petition the courts to dissolve a union if it conflicts with the constitution or the national ideology of Pancasila, which encompasses the principles of belief in one God, justice, unity, democracy, and social justice. Authorities may compel a union to dissolve if its leaders or members, in the name of the union, commit crimes against the security of the state, and they may receive a minimum of five years in prison. Once a union is dissolved, its leaders and members may not form another union for at least three years. The International Labor Organization remained concerned that dissolving a union could be disproportionate to the seriousness of the violation.

The law includes some restrictions on collective bargaining, including a requirement that a union or unions represent more than 50 percent of the company workforce or receive a vote of more than 50 percent of all workers to negotiate a collective labor agreement. Workers and employers have 30 days to conclude a collective labor agreement. Such agreements have a two-year lifespan that the parties may extend for one year. Unions noted that the law allows employers to delay the negotiation of collective labor agreements with few legal repercussions.

The right to strike is legally restricted. By law workers must give written notification that includes the location and start and end time to authorities and employer seven days in advance for a strike to be legal. Before striking, workers must engage in mediation with the employer and then proceed to a government mediator or risk having the strike declared illegal. In the case of an illegal strike,

an employer may make two written requests within a period of seven days for workers to return. Workers who do not return to work after these requests are considered to have resigned.

All strikes at “enterprises that cater to the interests of the general public or at enterprises whose activities would endanger the safety of human life if discontinued” are deemed illegal. Regulations do not specify the types of enterprises affected, leaving this determination to the government’s discretion. Presidential and ministerial decrees enable companies or industrial areas to request assistance from police and the military in the event of disruption of or threat to “national vital objects” in their jurisdiction. The International Labor Organization believes that the regulatory definition of “national vital objects” imposed overly broad restrictions on legitimate trade union activity, including in export-processing zones. Human rights activists and unions alleged that the government continues to label companies and economic areas as “national vital objects” to justify the use of security forces to restrict strike activity.

The government did not always effectively enforce provisions of the law protecting freedom of association or preventing antiunion discrimination. Antiunion discrimination cases moved excessively slowly through the court system. Bribery and judicial corruption in workers’ disputes continued, and unions claimed that courts rarely decided cases in the workers’ favor, even in cases in which the Ministry of Manpower recommended in favor of the workers. While such workers sometimes received severance pay or other compensation, they were rarely reinstated. Authorities used some legal provisions to prosecute trade unionists for striking, such as the crime of “instigating a punishable act” or committing “unpleasant acts,” which criminalized a broad range of conduct.

Penalties for criminal violations of the law protecting freedom of association and the right to enter into collective labor agreements include a prison sentence and fines and were generally commensurate with similar crimes. Local Ministry of Manpower offices were responsible for enforcement, which was particularly difficult in export-promotion zones. Enforcement of collective bargaining agreements varied based on the capacity and interest of individual regional governments.

Several common practices undermined freedom of association. Antiunion intimidation most often took the form of termination, transfer, or filing unjustified criminal charges. Unions alleged that employers commonly reassigned labor leaders deemed to be problematic. For example, on May 21, union leader Zulkarnain (one name only) was dismissed by PT Schneider Electric; the company said it was for inability to do his work. The company in May 2020 transferred Zulkarnain from his position of 10 years as a metrology engineer to a supplier quality engineer and said he could either take the offer or leave. On March 10, management gave him both a first and second warning letter alleging underperformance. The company allegedly threatened to cut his severance payment if he appealed the dismissal through the union. The district labor department said underperformance could not be grounds for dismissal. As of October 14, there were no additional updates on this case.

Labor activists claimed that companies orchestrated the formation of multiple unions, including “yellow” (employer-controlled) unions, to weaken legitimate unions. Some employers threatened employees who contacted union organizers. Companies often sued union leaders for losses suffered in strikes.

Many strikes were unsanctioned or “wildcat” strikes that broke out after a failure to settle long-term grievances or when an employer refused to recognize a union. Unions reported that employers also used the bureaucratic process required for a legal strike to obstruct unions’ right to strike. Unions noted that employers’ delays in negotiating collective labor agreements contributed to strike activity and legal measures taken against union members in the event of a failed agreement negotiation.

The 2020 Omnibus Law on Job Creation and the subsequent implementing regulations allowed for increased use of contract labor and eliminated restrictions on outsourcing labor. Both changes affected workers’ right to organize and bargain collectively. Under the law, outsourcing contract labor can be done for any business activity without limitation. The provider company, rather than the user company, is solely responsible for the working conditions and wages of contract workers. The user company may source contract workers from multiple outsourcing companies, making it impossible for workers to bargain collectively at

the workplace.

The Omnibus Law provides vague limits to the use of fixed-term contracts. For example, fixed-term contracts can be used for any work that is temporary in nature or can be completed in “not too long a time.” The implementing regulations also increased the maximum duration of fixed contracts from three years to 10 years. These broad guidelines made it difficult to ensure that the threat of contract renewal was not used to inhibit freedom of association and collective bargaining. In March workers at two unions, PTTEL security union and PTTEL care and service union, went on strike after failing to negotiate a new collective agreement with management. Part of the dispute was a result of the company outsourcing workers at the factory, and the dismissal of 38 of those workers. The union reported that police violently dispersed the picket line.

In 2020 the Indonesian Trade Union Confederation and the Confederation of Indonesian Workers Welfare Union, the two largest labor unions, filed requests for judicial review of the constitutionality of the 2020 Omnibus Law with the Constitutional Court due to the adverse impact of the law on workers. In June the Constitutional Court refused the judicial review request from the Confederation of Indonesian Workers Welfare Union; however, the request from the Indonesian Trade Union Confederation was still under consideration as of October 25.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, prescribing penalties of imprisonment and a fine, which were commensurate with similar crimes.

To prevent forced labor among Indonesian workers abroad, the National Social Security Administration enrolls these migrant workers and their families in the national social security program, enables authorities to prosecute suspects involved in illegal recruitment and placement of workers, and limits the role of private recruitment and placement agencies by revoking their authority to obtain travel documents for migrant workers. Government agencies may suspend the licenses of recruitment agencies for coercive or deceptive recruitment practices and contract signings, sending migrant workers to an unauthorized destination country, document forgery, underage recruitment, illegal fees (such as requesting several

months of workers' salaries), and other violations.

The government continued its moratorium on sending domestic workers to certain countries where its citizens had been subjected to forced labor. Some observers noted this moratorium resulted in an increasing number of workers seeking the services of illegal brokers and placement agencies to facilitate their travel, increasing their vulnerability to human trafficking. The government asserted such moratoriums were needed until receiving countries can guarantee protections against the abuse and exploitation of its migrant workers.

The government did not effectively enforce the law. There were credible reports that forced labor occurred, including forced and compulsory labor by children (see section 7.c.). A May Greenpeace report released covering a period of six years indicated a significant increase in reports of forced labor on fishing vessels at sea in 2020. Forced labor also occurred in domestic servitude and in the mining, manufacturing, fish processing, construction, and plantation agriculture sectors.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

Law and regulations prohibit all labor by children between the ages of five and 12. Children ages 13 and 14 may work up to 15 hours per week; children ages 15 to 17 may work up to 40 hours per week (not during school or evening hours and with written permission from parents). The law prohibits the worst forms of child labor, as defined by the International Labor Organization. It does not, however, extend to the informal economy, where most child labor takes place. Companies which legally employ children for the purpose of artistic performances and similar activities are required to keep records of their employment. Companies that legally employ children for other purposes are not required to keep such records. In 2020 through its Family Hope Program, the government removed 9,000 children from child labor.

The government did not effectively enforce the law prohibiting the worst forms of child labor. Penalties were commensurate with those for similar crimes.



Child labor commonly occurred in domestic service, rural agriculture, light industry, manufacturing, and fishing. There were reports of child labor on palm oil plantations. The worst forms of child labor occurred in commercial sexual exploitation, including the production of child pornography (also see section 6, Children); other illicit activities, including forced begging and the production, sale, and trafficking of drugs; and in fishing and domestic work.

According to a National Statistics Agency report, in August 2020 there were approximately 1.17 million children ages 10 to 17 working, primarily in the informal economy. The International Labor Organization estimated 1.5 million children between ages 10 and 17 work in the agricultural sector.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination in employment and occupation based on race, ethnicity, religion, sex, national origin, and disability but not specifically with respect to sexual orientation or gender identity, age, language, or HIV or other communicable disease status. There were no legal restrictions against women in employment to include limiting working hours, occupations, or tasks.

The government did not effectively enforce the law. Penalties were commensurate with those for violations of similar laws, but they were not applied outside the formal sector. According to NGOs, antidiscrimination protections were not always observed by employers or the government. Human rights groups reported some government ministries discriminated against pregnant women, persons with disabilities, LGBTQI+ individuals, and HIV-positive persons in hiring. For example, on June 23, the chief of staff of the navy stated that he would dismiss any naval personnel involved in LGBTQI+ activities. The Ministry of Manpower, the Women's Empowerment and Child Protection Agency, the Ministry of Home Affairs, and the National Development Planning Board worked in partnership to reduce gender inequality, including supporting equal employment opportunity task

forces at the provincial, district, and municipal levels. Women, however, still lagged behind men in wages.

In January courts dismissed a suit filed by a gay police officer in Central Java Province for reinstatement into the police force. In 2018 he was fired after being seen with his same-sex romantic partner.

In March a West Sumatran man with a disability lost his appeal to be admitted as a civil servant for the National Audit Board. The man passed the required test but was told he was not healthy enough in mind and body. The man appealed this initial decision and submitted complaints to the National Commission of Human Rights and the Ombudsman.

Migrant workers and persons with disabilities commonly faced discrimination in employment and were often only hired for lower status jobs.

In June IndustriAll reported that the Ministry for Women's Empowerment and Children agreed to the establishment of an additional 10-15 "protection houses" in key industrial zones where women employees can report gender-based violence, discrimination, and noncompliance with maternity protection. Government agencies provided physical, mental and rehabilitation support. The program began in 2020 and included six protection houses.

Some activists said that in manufacturing, employers relegated women to lower paying, lower-level jobs. Jobs traditionally associated with women continued to be significantly undervalued and unregulated. NGOs reported discriminatory behavior toward domestic workers continued to be rampant.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** Minimum wages varied throughout the country since provincial governors had authority to set a minimum wage floor and district heads had authority to set a higher rate. Minimum wages were above the official poverty line.

Most workers are not covered by the minimum wage laws. Government regulations exempt employers in certain sectors, including small and medium

enterprises and labor-intensive industries such as textiles, from minimum wage requirements. Implementing regulations issued from February to April for the 2020 Omnibus Law require that sectors exempt from minimum wage rules should pay workers at least 50 percent of the average public consumption or 25 percent above the poverty level of their province. The new regulations also make part-time workers eligible for hourly wages.

For certain sectors, the overtime rate for work in excess of a 40-hour workweek was 1.5 times the normal hourly rate for the first hour and twice the hourly rate for additional overtime, with a maximum of four hours of overtime per day and a maximum of 18 hours per week. The 2020 Omnibus Law allows certain businesses that require temporary employees to be exempt from the 40-hour workweek. According to the February implementing regulation related to this provision, the sectors exempt from the 40-hour workweek include, but are not limited to, energy and natural resources, mining, natural gas and oil, agribusiness, and fisheries.

**Occupational Safety and Health:** The law requires employers to provide a safe and healthy workplace and to treat workers with dignity and provides appropriate standards for the main industries. Workers may remove themselves from situations that endanger health or safety without jeopardy to their employment.

There were no reliable national estimates for workplace deaths or injuries. Unions continued to urge the government, especially the Ministry of Manpower, to do more to address the country's poor worker safety record and lax enforcement of health and safety regulations, particularly in the construction sector. NGOs and unions reported that many businesses continued to operate in defiance of government lockdown orders, at times resulting in COVID-19 outbreaks. In August the Ministry of Manpower released guidance for business-labor relations during the pandemic and items that should be covered in collective labor agreements to avoid disruptions and disputes.

Local officials from the Ministry of Manpower are responsible for enforcing minimum wage, work hours, and health and safety regulations. Penalties for violations include fines and imprisonment (for violation of the minimum wage law), which were generally commensurate with those for similar crimes.

Government enforcement was inadequate, particularly at smaller companies, and supervision of labor standards was not fully enforced. Provincial and local officials often did not have the technical expertise needed to enforce labor law effectively. Inspectors have the authority to make unannounced inspections and can initiate sanctions in the formal sector. The Ministry of Manpower employed 1,352 labor inspectors in 2020 and allocated IDR 191 billion (\$13.3 million) for the labor inspections, down from IDR 231 billion (\$16.1 million) in 2019. The number of inspectors was inadequate to enforce compliance.

**Informal Sector:** Authorities enforced labor regulations, including minimum wage regulations, only for the estimated 43 percent of workers in the formal sector. Workers in the informal sector did not receive the same protections or benefits as workers in the formal sector, in part because they had no legal work contract that labor inspectors could examine. The law does not mandate that employers provide domestic workers with a minimum wage, health insurance, freedom of association, an eight-hour workday, a weekly day of rest, vacation time, or safe work conditions.

Plantation agriculture workers often worked long hours without government-mandated health insurance benefits. They lacked proper safety gear and training in pesticide safety. Most plantation operators paid workers by the volume of crop harvested, which resulted in some workers receiving less than minimum wage and working extended hours to meet volume targets.

Gig workers were not protected under wage, work hours, and occupational safety and health regulations. This led to several large work stoppages by gig workers. For example, on April 6, approximately 1,000 Shopee Express couriers conducted a one-day work stoppage in Bandung following a cut in their pay that meant drivers would earn less than the minimum wage. In June drivers at GoKilat and LalaMove held two major work stoppages related to working conditions.